

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

IN RE:

BAYSIDE PRISON LITIGATION

Civil No. 97-5127 (RBK)

**ORDER**

THIS MATTER having come before the Court on motion by all defendants (“Defendants”) for summary judgment against Plaintiff Jose Baez (“Baez”) pursuant to Federal Rule of Civil Procedure 56, and on motion by Defendants for summary judgment against Plaintiff David Kelly (“Kelly”) pursuant to Federal Rule of Civil Procedure 56; and the Court having considered the moving papers and the opposition thereto; and for the reasons expressed in the Opinion issued this date;

IT IS HEREBY **ORDERED** that Defendants’ motion for summary judgment against Baez (Docket No. 946) is **GRANTED**; and

IT IS FURTHER **ORDERED** that Defendants’ motion for summary judgment against Kelly (Docket No. 945) is **DISMISSED**.

Dated: 5-19-08

s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge